

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 23-20037

Hon. Jonathan J.C. Grey

HASSAN YEHIA CHOKR,

Defendant.

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**ORDER FINDING DEFENDANT
COMPETENT TO STAND TRIAL**

I. INTRODUCTION

This matter is before the Court following a competency hearing, held on May 27, 2025. For the reasons stated on the record and in this order, the Court finds Defendant Hassan Yehia Chokr competent to stand trial.

II. BACKGROUND

On January 18, 2023, a grand jury indicted Chokr for felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1), and for making a false statement during the attempted acquisition of a firearm, in violation of 18 U.S.C. § 922(a)(6). (ECF No. 18.) Competency

examinations revealed that Chokr was not competent to stand trial. (ECF No. 39, PageID.233–234.) Following two attempts to restore competency in a Bureau of Prisons medical center, Dr. Evan Du Bois, a forensic psychologist at the Federal Medical Center in Butner, North Carolina (“FMC Butner”), submitted a forensic evaluation report on May 2, 2025. Dr. Du Bois opines that Chokr’s schizoaffective disorder no longer impairs his ability to proceed in this case. The report indicates that:

[Chokr] is currently able to communicate legal decisions in a rational manner, communicate relevantly with his counsel, and engage in appropriate behavior within the courtroom to participate in his legal proceedings, if motivated to do so. He has maintained his factual understanding of the legal process and is better able to apply this knowledge due to the improvement in his psychiatric symptoms.

May 2025 Forensic Evaluation Report, p. 11. FMC Butner also affixed a certificate of restoration of competency to stand trial to the report. *Id.* at pp. 2–3. FMC Butner’s acting warden signed the certificate. *Id.*

The Court held a competency hearing on May 27, 2025. At the hearing, neither the government nor Chokr challenged Dr. Du Bois’ report or the acting warden’s certificate. Both parties

requested that the Court find Chokr competent. The Court made a finding on the record that Chokr was competent to stand trial.

III. LEGAL STANDARD

To be competent to stand trial, a defendant must possess “(1) a ‘sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding,’ and (2) ‘a rational as well as factual understanding of the proceedings against him.’” *United States v. Dubrule*, 822 F.3d 866, 875 (6th Cir. 2016) (quoting *Dusky v. United States*, 362 U.S. 402, 402 (1960)). The government bears the burden of proving, by a preponderance of the evidence, that a defendant is competent to stand trial. *United States v. Chapple*, No. 94-5048, 1995 WL 6147, at *2 (6th Cir. Jan. 6, 1995).

IV. ANALYSIS

While the Court has already found that Chokr is competent to stand trial, the Court provides further detail here. Dr. Du Bois’ forensic evaluation report indicates that Chokr can now communicate relevantly with his lawyer and communicate legal decisions in a rational manner. The report also indicates that Chokr has maintained a factual understanding of the legal process. Further, the report includes a

certificate of restoration of competency to stand trial signed by FMC Butner's acting warden. Neither the government nor Chokr challenges Dr. Du Bois' report or the certificate of competency restoration. Therefore, the Court finds, by a preponderance of the evidence, that Chokr is competent to stand trial. *Chapple*, 1995 WL 6147, at *2.

V. CONCLUSION

Accordingly, **IT IS ORDERED THAT** the Court deems Chokr **COMPETENT TO STAND TRIAL.**

SO ORDERED.

Date: May 29, 2025

s/Jonathan J.C. Grey
Jonathan J.C. Grey
United States District Judge

Certificate of Service

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First-Class U.S. mail addresses disclosed on the Notice of Electronic Filing on May 29, 2025.

s/ S. Osorio
Sandra Osorio
Case Manager